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*Elaine C. Stracker*  
Elaine C. Stracker

PATENT  
Attorney's Docket No.: 00021.06CON

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Rabinowitz et al.  
Serial No.: 10/749,783  
Filed: 12/30/2003  
Title DELIVERY OF DRUG ESTERS THROUGH AN INHALATION  
ROUTE

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:


In accordance with their continuing duty of disclosure under 37 CFR §§ 1.97, 1.98 and 1.56, Applicants hereby submit for consideration in the above-identified application the enclosed references. The Information Disclosure statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

For the convenience of the Examiner, the references are listed on a PTO Form 1449 (attached) and copies thereof are enclosed. Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

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Respectfully submitted,

Date: SEP. 24 2004

  
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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/749,783	
	Filing Date	12/30/2003	
	First Named Inventor	Joshua D. Rabinowitz	
	Art Unit	Not yet known	
	Examiner Name	To be assigned	
Total Number of Pages in This Submission		Attorney Docket Number	00021.06CON

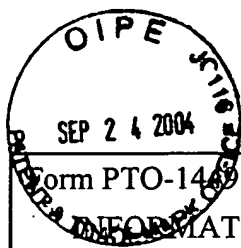
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	ALEXZA MDC, 1001 East Meadow Circle, Palo Alto, CA 94303 Elaine C Stracker, Ph.D., J.D. Telephone (650)-687-3905	
Signature		
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Form PTO-1489

INFORMATION DISCLOSURE CITATION  
IN AN APPLICATION

(Use several sheets if necessary)

Docket Number: 00021.06CON

Application Number: 10/749,783

Applicant: Joshua D. RABINOWITZ, et al.

Filing Date: 12/30/2003

Group Art Unit: Not Yet Known

## U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	01/05/1965	3,164,600	Janssen			
	2.	02/02/1971	3,560,607	Hartley et al.			
	3.	03/15/1983	4,376,767	Sloan			
	4.	12/27/1983	4,423,071	Chignac et al.			
	5.	07/08/1985	3,894,040	Buzby, Jr.			
	6.	03/31/1987	4,654,370	Marriott, III et al.			
	7.	07/18/1989	4,848,374	Chard et al.			
	8.	01/23/1990	4,895,719	Radhakrishnun et al.			
	9.	04/17/1990	4,917,120	Hill			
	10.	09/17/1991	5,049,389	Radhakrishnun			
	11.	05/12/1992	5,112,598	Biesalski			
	12.	06/30/1992	5,126,123	Johnson			
	13.	02/14/1995	5,388,574	Ingebrethsen			
	14.	08/13/1996	5,544,646	Lloyd et al.			
	15.	03/04/1997	5,607,691	Hale et al.			
	16.	04/22/1997	5,622,944	Hale et al.			
	17.	12/09/1997	5,694,919	Rubsamen et al.			
	18.	04/07/1998	5,735,263	Rubsamen et al.			
	19.	04/14/1998	5,738,865	Baichwal et al.			
	20.	06/29/1999	5,915,378	Lloyd et al.			
	21.	08/10/1999	5,934,272	Lloyd et al.			
	22.	09/28/1999	5,957,124	Lloyd et al.			
	23.	10/05/1999	5,960,792	Lloyd et al.			
	24.	11/30/1999	5,993,805	Sutton et al.			
	25.	03/28/2000	6,041,777	Faithfull et al.			

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Form PTO-1449

# INFORMATION DISCLOSURE CITATION IN AN APPLICATION

(Use several sheets if necessary)

Docket Number: 00021.06CON

Application Number: 10/749,783

Applicant: Joshua D. RABINOWITZ, et al.

Filing Date: 12/30/2003

Group Art Unit: Not Yet Known

	26.	04/18/2000	6,051,566	Bianco			
	27.	08/01/2000	6,095,153	Kessler et al.			
	28.	08/15/2000	6,102,036	Slutsky et al.			
	29.	06/05/2001	6,241,969	Saidi et al.			
	30.	07/03/2001	6,255,334	Sands			
	31.	10/08/2002	6,461,591	Keller et al.			
	32.	01/14/2003	6,506,762	Horvath et al.			
	33.	02/04/2003	6,514,482	Bartus et al.			
	34.	07/15/2003	6,591,839	Meyer et al.			
	35.	09/06/2001	US 2001/0020147	Staniforth et al.			
	36.	03/28/2002	US 2002/0037828	Wilson et al.			
	37.	05/16/2002	US 2002/0058009	Bartus et al.			
	38.	07/04/2002	US 2002/0086852	Cantor			
	39.	08/22/2002	US 2002/0112723	Schuster et al.			
	40.	11/28/2002	US 2002/0176841	Barker et al.			
	41.	01/02/2003	US 2003/0004142	Prior et al.			
	42.	02/13/2003	US2003/0032638	Kim et al.			

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	43.	08/04/2003	10/633,876	Hale et al.			
	44.	08/04/2003	10/633,877	Hale et al.			
	45.	12/30/2003	10/749,537	Rabinowitz et al.			
	46.	12/30/2003	10/749,539	Rabinowitz et al.			
	47.	01/27/2004	10/766,149	Rabinowitz et al.			
	48.	01/27/2004	10/766,279	Rabinowitz et al.			
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	50.	01/27/2004	10/766,574	Rabinowitz et al.			
	51.	01/27/2004	10/766,634	Rabinowitz et al.			
	52.	01/27/2004	10/766,647	Rabinowitz et al.			
	53.	01/28/2004	10/767,115	Rabinowitz et al.			

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<b>Form PTO-1449</b>  <b>INFORMATION DISCLOSURE CITATION IN AN APPLICATION</b>  <i>(Use several sheets if necessary)</i>	Docket Number: 00021.06CON		Application Number: 10/749,783	
	Applicant: Joshua D. RABINOWITZ, et al.			
	Filing Date: 12/30/2003		Group Art Unit: Not Yet Known	

	54.	01/29/2004	10/768,205	Rabinowitz et al.			
	55.	01/29/2004	10/768,220	Rabinowitz et al.			
	56.	01/29/2004	10/768,281	Rabinowitz et al.			
	57.	01/29/2004	10/768,293	Rabinowitz et al.			
	58.	01/30/2004	10/769,046	Rabinowitz et al.			
	59.	01/30/2004	10/769,051	Rabinowitz et al.			
	60.	01/29/2004	10/769,157	Rabinowitz et al.			
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	63.	02/09/2004	10/775,586	Rabinowitz et al.			
	64.	03/03/2004	10/791,915	Hale et al.			
	65.	03/03/2004	10/792,001	Rabinowitz et al.			
	66.	03/03/2004	10/792,012	Hale et al.			
	67.	03/03/2004	10/792,013	Rabinowitz et al.			
	68.	03/03/2004	10/792,096	Hale et al.			
	69.	03/03/2004	10/792,239	Hale et al.			
	70.	03/31/2004	10/813,721	Rabinowitz et al.			
	71.	03/31/2004	10/813,722	Rabinowitz et al.			
	72.	03/31/2004	10/814,690	Rabinowitz et al.			
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	74.	04/01/2004	10/815,527	Rabinowitz et al.			
	75.	04/01/2004	10/816,407	Rabinowitz et al.			
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	78.	08/04/2004	10/912,462	Hale et al.			
	79.	01/23/2003	US 2003/0015196	Hodges et al.			
	80.	04/03/2003	US 2003/0062042	Wensley et al.			
	81.	11/13/2003	US 2003/0209240	Hale et al.			
	82.	01/02/2003	US 2003/0000518	Rabinowitz et al.			
	83.	01/09/2003	US 2003/0005924	Rabinowitz et al.			

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EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.	

<b>Form PTO-1449</b>  <b>INFORMATION DISCLOSURE CITATION IN AN APPLICATION</b>  <i>(Use several sheets if necessary)</i>				Docket Number: 00021.06CON		Application Number: 10/749,783	
				Applicant: Joshua D. RABINOWITZ, et al.			
				Filing Date: 12/30/2003		Group Art Unit: Not Yet Known	
	84.	01/09/2003	US 2003/0005925	Hale et al.			
	85.	01/09/2003	US 2003/0007933	Rabinowitz et al.			
	86.	01/09/2003	US 2003/0007934	Rabinowitz et al.			
	87.	01/16/2003	US 2003/0012737	Rabinowitz et al.			
	88.	01/16/2003	US 2003/0012738	Rabinowitz et al.			
	89.	1/16/2003	US 2003/0012740	Rabinowitz et al.			
	90.	01/23/2003	US 2003/0015189	Rabinowitz et al.			
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	94.	01/23/2003	US 2003/0017116	Rabinowitz et al.			
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	100.	01/30/2003	US 2003/0021754	Rabinowitz et al.			
	101.	01/30/2003	US 2003/0021755	Hale et al.			
	102.	02/20/2003	US 2003/0035776	Hodges et al.			
	103.	05/15/2003	US 2003/0091511	Rabinowitz et al.			
	104.	05/27/2004	US 2004/010148	Hale et al.			
	105.	07/31/2003	US 2003/0138382	Rabinowitz			
	106.	11/06/2003	US 2003/0206869	Rabinowitz et al.			
	107.	01/15/2004	US 2004/0009128	Rabinowitz et al.			
	108.	05/20/2004	US 2004/0096402	Hodges et al.			
	109.	05/27/2004	US 2004/0099269	Hale et al.			
	110.	06/03/2004	US 2004/0105818	Hale et al.			
	111.	06/03/2004	US 2004/0105819	Hale et al.			
	112.	07/01/2004	US 2004/0126326	Rabinowitz et al.			
	113.	07/01/2004	US 2004/0126327	Rabinowitz et al.			
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Form PTO-1449

# INFORMATION DISCLOSURE CITATION IN AN APPLICATION

(Use several sheets if necessary)

Docket Number: 00021.06CON

Application Number: 10/749,783

Applicant: Joshua D. RABINOWITZ, et al.

Filing Date: 12/30/2003

Group Art Unit: Not Yet Known

	114.	07/01/2004	US 2004/0126328	Rabinowitz et al.			
	115.	07/01/2004	US 2004/0126329	Rabinowitz et al.			
	116.	07/01/2004	US 2004/0127481	Rabinowitz et al.			
	117.	07/01/2004	US 2004/0127490	Rabinowitz et al.			
	118.	08/12/2004	US 2004/0156788	Rabinowitz et al.			
	119.	08/12/2004	US 2004/0156789	Rabinowitz et al.			
	120.	08/12/2004	US 2004/0156791	Rabinowitz et al.			

## FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation	
							YES	NO
	121.	11/11/1981	EP 0 039 369	Europe				
	122.	03/14/1990	EP 0 358 114	Europe				
	123.	07/03/2001	EP 1 080 720	Europe				
	124.	08/29/2001	EP 0 606 486	Europe				
	125.	02/14/1985	WO 85/00520	WIPO				
	126.	04/11/1996	WO 96/09846	WIPO				
	127.	05/09/1996	WO 96/13161	WIPO				
	128.	05/09/1996	WO 96/13290	WIPO				
	129.	05/09/1996	WO 96/13291	WIPO				
	130.	05/09/1996	WO 96/13292	WIPO				
	131.	10/03/1996	WO 96/30068	WIPO				
	132.	05/09/1997	WO 97/16181	WIPO				
	133.	08/07/1997	WO 97/27804	WIPO				
	134.	05/28/1998	WO 98/22170	WIPO				
	135.	07/23/1998	WO 98/31346	WIPO				
	136.	08/27/1998	WO 98/36651	WIPO				

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	Applicant: Joshua D. RABINOWITZ, et al.			
	Filing Date: 12/30/2003		Group Art Unit: Not Yet Known	

	137.	09/03/1998	WO 98/37896	WIPO			
	138.	12/16/1999	WO 99/64094	WIPO			
	139.	01/06/2000	WO 00/00176	WIPO			
	140.	01/06/2000	WO 00/00215	WIPO			
	141.	05/18/2000	WO 00/27363	WIPO			
	142.	05/25/2000	WO 00/28979	WIPO			
	143.	05/25/2000	WO 00/29053	WIPO			
	144.	09/17/2000	WO 00/47203	WIPO			
	145.	11/02/2000	WO 00/64940	WIPO			
	146.	11/09/2000	WO 00/66084	WIPO			
	147.	12/21/2000	WO 00/76673	WIPO			
	148.	01/25/2001	WO 01/05459	WIPO			
	149.	06/14/2001	WO 01/41732	WIPO			
	150.	01/03/2002	WO 02/00198	WIPO			
	151.	03/28/2002	WO 02/24158	WIPO			

**OTHER DOCUMENTS***(including author, title, Date, Pertinent Pages, Etc.)*

Examiner Initials	Ref. No.	Title
	152.	Bennett, R.L. et al. (1981). "Patient-Controlled Analgesia: A New Concept of Postoperative Pain Relief," <i>Annual Surg.</i> 195(6):700-705.
	153.	Carroll, M.E. et al. (1990), "Cocaine-base smoking in rhesus monkeys: reinforcing and physiological effects," <i>Psychopharmacology</i> (Berl). 102:443-450.
	154.	Darquenne, C. et al. (1997). "Aerosol Dispersion in Human Lung: Comparison Between Numerical Simulations and Experiments for Bolus Tests," <i>American Physiological Society.</i> 966-974.
	155.	Davies, C.N. et al. (May 1972). "Breathing of Half-Micron Aerosols," <i>Journal of Applied Physiology.</i> 32(5):591-600.
	156.	Dershwitz, M., M.D., et al. (September 2000). "Pharmacokinetics and Pharmacodynamics of Inhaled versus Intravenous Morphine in Healthy Volunteers," <i>Anesthesiology.</i> 93(3): 619-628.
	157.	Finlay, W.H. (2001). "The Mechanics of Inhaled Pharmaceutical Aerosols", Academic Press: San Diego Formula 2.39. pp.3-14 (Table of Contents). pp. v-viii.

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	Applicant: Joshua D. RABINOWITZ, et al.			
	Filing Date: 12/30/2003		Group Art Unit: Not Yet Known	

158.	Gonda, I. (1991). "Particle Deposition in the Human Respiratory Tract," Chapter 176, <u>The Lung: Scientific Foundations</u> . Crystal R.G. and West, J.B. (eds.), Raven Publishers, New York. pp. 2289-2294.
159.	Hatsukami D, et al. (May 1990) "A method for delivery of precise doses of smoked cocaine-base to humans." <i>Pharmacology Biochemistry &amp; Behavior</i> . 36(1):1-7.
160.	Heyder, J. et al. (1986). "Deposition of Particles in the Human Respiratory Tract in the Size Range 0.005-15 $\mu\text{m}$ ," <i>J. Aerosol Sci.</i> 17(5):811-822.
161.	Huizer, H., "Analytical studies on illicit heron. V. Efficacy of volatilization during heroin smoking." <i>Pharmaceutisch Weekblad Scientific Edition</i> (1987). 9(4):203-211.
162.	Hurt, R.D., MD and Robertson, C.R., PhD, (October 1998). "Prying Open the Door to the Tobacco Industry's Secrets About Nicotine: The Minnesota Tobacco Trial," <i>JAMA</i> 280(13):1173-1181.
163.	Lichtman, A.H. et al. (1996). "Inhalation Exposure to Volatilized Opioids Produces Antinociception in Mice," <i>Journal of Pharmacology and Experimental Therapeutics</i> . 279(1):69-76.
164.	Martin, B.R. and Lue, L.P. (May/June 1989). "Pyrolysis and Volatilization of Cocaine," <i>Journal of Analytical Toxicology</i> 13:158-162.
165.	Mattox, A.J. and Carroll, M.E., (1996). "Smoked heroin self-administration in rhesus monkeys," <i>Psychopharmacology</i> , 125:195-201.
166.	Meng, Y. et al. "Inhalation Studies With Drugs of Abuse," <i>NIDA Research Monograph</i> , (1997) 173:201-224.
167.	Meng, Y., et al. (1999). "Pharmacological effects of methamphetamine and other stimulants via inhalation exposure," <i>Drug and Alcohol Dependence</i> . 53:111-120.
168.	Office Action mailed 8/13/2003 for US application 10/153,313 filed 05/21/2002 "DELIVERY OF BENZODIAZEPINES THROUGH AN INHALATION ROUTE"
169.	Pankow, J.F. et al. (1997). "Conversion of Nicotine in Tobacco Smoke to Its Volatile and Available Free-Base Form Through the Action of Gaseous Ammonia," <i>Environ. Sci. Technol.</i> 31:2428-2433.
170.	Pankow, J. (March 2000). ACS Conference-San Francisco-3/26/00. Chemistry of Tobacco Smoke. pp. 1-8.
171.	Seeman, J. et al. (1999). "The Form of Nicotine in Tobacco. Thermal Transfer of Nicotine and Nicotine Acid Salts to Nicotine in the Gas Phase," <i>J. Agric. Food Chem.</i> 47(12):5133-5145.
172.	Sekine, H. and Nakahara, Y. (1987). "Abuse of Smoking Methamphetamine Mixed with Tobacco: 1. Inhalation Efficiency and Pyrolysis Products of Methamphetamine," <i>Journal of Forensic Science</i> 32(5):1271-1280.
173.	Ward, M.E. MD, et al. (December 1997). "Morphine Pharmacokinetics after Pulmonary Administration from a Novel Aerosol Delivery System," <i>Clinical Pharmacology &amp; Therapeutics</i> 62(6):596-609.

EXAMINER:	DATE CONSIDERED:
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<b>Form PTO-1449</b>  <b>INFORMATION DISCLOSURE CITATION IN AN APPLICATION</b>  <i>(Use several sheets if necessary)</i>	Docket Number: 00021.06CON	Application Number: 10/749,783		
	Applicant: Joshua D. RABINOWITZ, et al.			
	Filing Date: 12/30/2003	Group Art Unit: Not Yet Known		
<table border="1"><tr><td data-bbox="228 422 321 527">174.</td><td data-bbox="321 422 1536 527">Wood, R.W. et al. (1996). "Generation of Stable Test Atmospheres of Cocaine Base and Its Pyrolyzate, Methylecgonidine, and Demonstration of Their Biological Activity." <i>Pharmacology Biochemistry &amp; Behavior</i>. 55(2):237-248.</td></tr></table>			174.	Wood, R.W. et al. (1996). "Generation of Stable Test Atmospheres of Cocaine Base and Its Pyrolyzate, Methylecgonidine, and Demonstration of Their Biological Activity." <i>Pharmacology Biochemistry &amp; Behavior</i> . 55(2):237-248.
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